App.F.IX-4]

WD2239.B490.

Previous References. 192 4. ink

File No. 61-24

Serial Nos. 2, 7 & 35

Later references.

Preserve

GENERAL & REVENUE SECRETARIAT

Serial Nos. 3

Part B for May 25.

SUBJECT

Bye laws framed by Municipal Councils.

To
The D C Kolar
No L 7949 dt 7.5.25
Sanction the adoption bye laws of the Srikantha Municipality with certain modifications

8/1916

Serial No. 2

From

The Dy. Comr Kolar Distt

No. R.O.C. 1142/23-24 dt 14. 7. 24.

Forwards the Octroi Bye-laws framed and approved by the Sidlaghatta Municipl Council and requests sanction of Govt thereto

States also that due publicity was given to them in the town and the people did not raise any objection against the said bye-laws

That it was pointed out to the Council that the rates prescribed in the Schedule annexed to the Municpl Account Manual should not be indiscriminately departed from and that the tax should be levied only on those articles mentioned in the said Schedule, but the Council resolved to include "Tobacco dust", Cigars Cigarettes & Bidies" among the taxable articles.

The Octroi Bye-laws framed by -

1) Maddagere Town Municipality
2) Paralpadi —— do ——
3) Konaige —— do ——

are put up.

The Octroi bye-laws framed

Serial No.

by the Calcutta municipal Council in each case contains too many additions and do not tally with the bye-laws put-up.

Subd for orders.

9.7.24

Provision made in the Draft bye-laws for 'Refund' has been deleted by the Municipal Council. Please see bye-laws struck off after bye-law 19

Bye-law 20. Sec. 88 Cl. (g) should be deleted as it is beyond the scope of the powers of the municipal Council [Sec 77A(2), of the Mun. Act]

Bye-law 21 re. payment of rewards cannot come under Sec 248(1)(h) Mun. Act, Sec 48(1)(h)

Bye-law 24 re taxing articles received by Post may be deleted. Such articles are not liable to be taxed anywhere in the State

Schedule A Tobacco Sticks & Tobacco Dust are not articles of luxury and cannot be taxed

G. R. S. III-2]

WD 2810—GPE—10,000—31-8-24

General and Revenue Secretariat

Ml File No. 379/61 of 1924.

Serial No.

Hay D

There is no objection to tax Cigarettes, cigars, Cheroots as tobacco is liable to pay Octroi duty in any form. - Govt no 1762-71 L&R 28-928 Nov 23

HK
18/9/24

The language of the byelaws is rather loose. ~~[illegible]~~ do not favour the lines adopted by the other municipalities. The Govt has omitted provisions regarding refunds. The byelaws may therefore be returned & the municipality may be asked to favour the rules already adopted by other municipalities eg the Madhapur Municipality, omitting provisions regarding smuggling, refunds etc & send up ~~[illegible]~~ by laws revised as above. Rules on tobacco duty & articles received by post may not be allowed also.
& and Secy)
4/9/24

The proposed byelaws do not contain all necessary provisions & there are many provisions to be omitted. They may therefore be returned & asked the Council to consider & adopt the provisions contained in other Councils —
(Secretary) while-regret- they may be done. HMS
5/9/24

1176
6.8.24

NOTE—Conton. sheet.

4599

G. R. S. III-2]

WD 2510—GPB—10,000—31-5-24

General and Revenue Secretariat. | Rel File No. 61 of 1924.

Serial No.	
	Please put up a suitable draft
	Subd. with a draft reply to the Dy Comr for approval. (with HK & L-L Secy) 4.9.24
7	no L 2067 dt 9.9.24. & DC Kolar returns the bye laws with certain observations
35	From the Tahsildar No RDC 1142 dt 16/18-9-24 forwards the bye laws duly revised & other bye-laws for the erection of Pandals
	Submitted for orders

GENERAL & REVENUE SECRETARIAT. 11 SEP. 1924 LOCAL SELF GOVT. BRANCH

Gen A. 10.9.24

Please with the above bye laws are submitted with the Dy Comr's letter for his orders and the bye laws returned by the Dy Comr

Note—Contn. sheet.

[illegible]. R. S. III-2]

WD 2310—GPE—10,000—31-5-24

General and Revenue Secretariat

nil File No. 61 of 1944

Serial No.

H. 7

Coconut - Bye-laws /

The new set of bye-laws received are on the model of the Cochin bye-laws of Maddagiri Town lately.

The modifications suggested in it y have been adopted.

While the draft bye-laws follow the spirit of the maddagiri bye-laws, there are great departures in the wording.

In bye-law 4 the Rly Station memorials all the gazetted ~~are~~ as mentioned as are of the places at which dutiable articles are to be inspected. It is ~~doubtful if the~~ Rly ~~Companies~~ authorities were agreed to provide this.

~~Bye 4 (2) of maddagiri bye-laws levies a fee for export fowl. But no fee has been proposed in the draft Cochin bye-laws~~

The rules bye-laws proposed in the draft are not so elaborate as in maddagiri bye-laws.

H E

Bye-laws for regulating the erection Pandals on roads are

Compared with the bye-laws in force in Davangere Municipality

NOTE—Contin. sheet.

G.R.S. III-21

4599

File No. 64 of 1924

General and Revenue Secretariat

Serial No.

These are very meagre and contain only five simple rules.

There is no exception made even in the case of small pandals.

Compared with the fees of Davangere the fees are prohibitively high. It is not also clear for what period the fees covers.

Bye law 4 lays down that named rates may be charged when the period during which the pandal remains exceeds 15 days. Compared with the Davangere bye-laws Cl (b) of Bye law 4 This rule seems to lay down the opposite.

The bye-laws regarding penalties seems to be defective in as much as no provision is made for continuance of the offence. Rule per orders.

Bye 9:4 JM 9 4 25.

The certain byelaws which have been received in the Department of Municipal Affairs, though they differ in certain respects in the language may be approved.

As regards the byelaws for pandals it is for consideration whether the

H.7

Vide

HE,

NOTE—Cancel

General and Revenue Secretariat. | File No. 61 of 1924

Serial No.

Bankura ~~Bylaws~~ which contains a few amongst ~~which~~ suggestions is not sufficient. The selections of fees proposed after 15 days in bylaw 12 may perhaps stand, as ~~the Board~~ Bankura Municipality required for longer time & will be subjected to heavy taxation.

16/4

16/4

16/4

16/4

16/4

Please put up draft

20/4

Subd. with a draft G. O. sanctioning the Bye-laws, for approval.

21/4 24/25

Sanctions are Bylaws returned herewith

No. 7949 dt 7.5.25. Do do.

The corrections have been embodied in the copy of the Bye-laws and the Dy Comm.

GENERAL & REVENUE SECRETARIAT

11 MAY 1925

115

03733

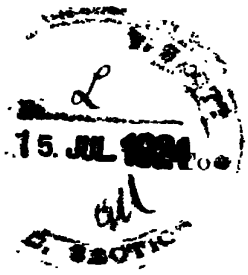
Roc No. 1142/23-24
Encs. One file

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT.

Dated Kolar, the 14th July 1924.

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DEPUTY COMMISSIONER, KOLAR DISTRICT.



TO

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative Departments, Bangalore.

SIR,

Rnl 61-24-2

I have the honor to forward herewith the file of papers received with the Sidlaghatta Municipal President's No:94 dated 17-6-1924 containing Octroi Bye-laws framed and approved by the Municipal Council, and requesting sanction of Government thereto. Due publicity was given to them in the town and the people did not raise any objection against the said bye-laws.

2. It was however pointed out to the Council that the rates prescribed in the schedule annexed to the Municipal Account Manual should not be indiscriminately departed from and that the tax should be levied only on those articles mentioned in the said schedule. But the Council have however resolved to include "Tobacco dust, Cigars, Cigarettes and Bidies" among the taxable articles.

3. I request that suitable orders of Government may kindly be obtained in the matter.

I have the honor to be,
S i r,
Your most obedient servant,

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.
(absent from station)

V.V.R.

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to L. 379

General and Revenue Secretariat
( )
, the 191 .

Date of issue 9. 9. 24

Signed by

Section Genl.
File No. 61 24.
Serial No. 7

No. L 2067

Executive Engineer

To The Dy Conl Kolaba Distt

Sir,

With reference to your letter No. R.O.C. 114 2/23-24 dy. the 11th Jul cy 24 requesting sanction of Gov to the Octroi Bye-laws framed by Sidhapur Municipal Council I am directed to return the Bye-la with the following observation

1. Provision made in the draft Bye-laws for "Refund" has bee deleted by the Municipal Council. Please see Bye-laws should be as appears to be necessary

2.

Lodi 21

2. Bye-laws No. 20. Re smuggling should be deleted as it is beyond the scope of the powers of the Municipal Council. (Sections 77 A (2) of the Nuwara Eliya Municipal Regulations)

3. Bye-laws No. 21. Re payment of rewards cannot be come under Sections 48 (1) (k) - It comes under Section 48 (1) (l).

4. Bye-laws No. 26. Re taxing articles received by Post may be deleted. Such articles are not taxed anywhere in the State.

5. Schedule A Tobacco sticks and tobacco dust are not articles of luxury and cannot be taxed. There is no objection to tax cigarettes, Cigars and Bidies as tobacco is liable to pay octroi duty in any form.

I am ~~directed~~ to request you to kindly ask the President of the Municipal Council to follow the rules already adopted by other Municipalities e.g. the Municipality (Copy of which is enclosed) and to send us the revised Bye-laws for

~~Enclosed~~ a copy of the Bye-laws in the Model Form in force in the Municipalities and Urban Districts which is known.

List of enclosures.

Copied by

Examined by

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

the sanction of Govt at the
earliest date I have the

D/5/8 L & L Secy to Govt

4/9/29

WD 2980—GP48—1,00,000—28-7-30

No. Rec 114 2/25-24
ENCS. file

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT.

Dated Kolar, the 16th January *1925.*

31219

17

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DEPUTY COMMISSIONER, KOLAR DISTRICT.

& REV. DEPT. 9. JAN. 1925 SECTION

CENTRAL & REVENUE 4599 12 0. JAN. 1925 LOCAL SELF GOVT.

To
B. Nagappa, Esq.) Bar-at-Law,
SECRETARY TO GOVERNMENT OF MYSORE,
Local & Legislative DEPARTMENTS,
BANGALORE.

Mul 61-24—35

SIR,

With reference to your letter No:L.2067/Ml.61-24-7 dated 9th September 1924, regarding the Octroi Bye-laws framed by the Sidlaghatta Municipal Council, I have the honor to forward herewith the file of papers received from the President with his No: 57 dated 9-1-25 forwarding the said bye-laws with the modifications suggested in the letter under advertence together with other bye-laws framed for the erection of Pandals in the Town.

2. I request that the bye-laws may kindly be sanctioned at a very early date as the Council is anxious to augment their resources as far as possible.

I have the honor to be,
S i r,
Your most obedient servant,

C Ramachandra Rao
Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.

V.V.R.

G.R..S VI G 34)

CT.....

No. of letter replied to 4599

Section Rev

File No. C1 - 24

Serial No. 101

and Revenue Secretariat

( )

, the 192

Proceedings of the Government of His Highness the Maharaja of Mysore.

of issue 7.5.925

by M.D.R.S.Rys

Read—

Letter No. R O C 1142/23-24 dy 14th July 1924 from the Dy Comr. Kolar Dist. forwarding for sanction the Debris Bye-laws framed by the Sidlaghatta municipal Council.

2. Letter No. L 2067/ml 61 '24-7 dy 9th Sept 1924 from the Dy Comr. Kolar Dist returning the Bye laws with certain Observations and [illegible] Order Thereon No. dy 2 for the revised Bye laws from the sanction of Govt.

3. Letter No. R O C 1142/23-24 dy the 17th January 1925 from the Dy Comr. Kolar Dist forwarding (1) the Debris Bye-laws duly revised along with (2) the

be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

published in the Gazette, Kannada Part ?

Mr Davidson

714

so Packages or the articles
are to be inspected shall be, the
roads specified in
Schedule B, the ~~bonded~~ warehouse and
~~the bonded bar-house and~~
the Railway Station including all
the gates. Every person who brings
articles liable to Octroi shall
give intimation of the same to the first
Octroi Naka that he meets. All
Octroi officers not below the
rank of an Octroi Manegar
or Chowkidar are hereby
authorised under Section 76
of the Municipal Regulation
to inspect all Conveyances and
Packages for the purposes of
receiving Octroi
A Table showing the articles
on which the Octroi is to be
received and the rates is
annexed as Schedule A
will be in the instruction.

of any person at the Municipal office
Any person may take a copy of it
A Copy of the Schedule shall be put up
in every ward and the office where
octroi is received

6 / Every person who brings articles
leable to octroi and every person
who wishes to export such articles
shall take them to the octroi
office for inspection of the B
and for payment of octroi

7 / The octroi officer shall when
such articles are brought to the
office weigh or Count such
articles as the case may be
the person bringing such articles
shall take a permit for
the amount paid and then take
back the articles or he may store
it in the Bonded Warehouse
when the duty is paid, the
octroi officer shall grant a
permit showing the quantity

and weight of the goods, the amount
paid in respect there of and the date
of payment If the importer wants
to Export the goods from there;
to Export the goods him he may
obtain a free Export pass the
Export shall be made under the
escort of an Octroi Servant

8 ✓ When Octroi is to be paid
on the value of good, the Octroi
officer is entitled to ask the
importer, to the invoice with which
the articles was received If the
importer fails to produce the
invoice or refuses the Octroi
officer shall recover the Octroi
on the market value of the goods,
at the current rate

Any person importing articles
for the Consumption of Persons
residing within the Municipal
limits or his agent or the Wholesale
importer may in such Case
under the previous Sanction

of the President Vice President must by depositing a Sum not less than Rs 1000/- which may be fixed by the President be exempted from taking such articles to the Central Office, but he shall keep a Correct account, showing the details of articles imported and the names of the Exporters, which shall be to the entire Satisfaction of the President or Vice President. Every such person or agent shall in addition to the deposit he has made, be personally responsible for any Central article that may be taken out of his store house without the payment of Duties. The President or Vice President may at any time by notice in writing withdraw the exemption granted to such Exporter or agent and call back the deposit or a portion of it as the case may be. Such Exporters

9/6

as agent may at any time be required to produce for inspection any article on which Octroi should be levied

Ware house

For the purpose of storing articles brought into the Municipal limit under rule 7, a ware-house shall be established by the Municipal Council It will be open from 8 A.M to 12 noon and from 2 P M to 6 P M daily for the conduct of business except on Sundays & holidays announced by Municipality

11 Articles brought into the Ware-house should be securely packed the name of the owner being written on the packet or bundle, Articles or bags damaged or torn will not be received into the Ware-house

2 A receipt will be granted by the Octroi officer for articles kept in the ware-house

should be returned when the articles
are taken back the Central officer
may refuse to return these if the
receipt is not returned

3 If the owner cannot himself
take back the articles, he may
send the receipt with an endorsement
noting the name of the person
to whom the article should be
delivered. If the receipt is not
produced, the Central Officer may
take an indemnity bond
and return the articles.

14. With the permission of the
Central Officer, the owner of the
article deposited in the Ware-
-house may open the package
or ~~broke~~ break bulk. He may take
the articles without the municipal
limits after having the Central
or under the cover of a free pass
and with the escort of any Central
can export the articles out-side

the limits. Whenever possible, Octroi Seal ~~should~~ may be impressed on the package to show that it was in the ware-house. The export pass should be in ~~duplicate~~ triplicate, the Counter foil being given to the exporter

15 Permission to take any article from the ware-house cannot be given unless the storage fee is paid at the rates specified hereunder

(1) No fee ~~will~~ shall be levied for articles kept only for two days

(2) The fee for the articles from 3rd to the 7th day is as follows:- Per day.

	Rs. as P.
Tobacco loose or a packet weighing not less than one maund & 29 lbs.	0 - 0 - 3.
A parcel or a bale of cloth not exceeding 3 maunds:-	0 - 0 - 6.
— do — Exceeding 3 maunds.	0 - 1 - 0
Betel leaves. One bundle of 10 small packets of 100 leaves each.	0 - 0 - 3
Cocoanuts bag of 125 cocoanuts each.	0 - 0 - 3
Dry Cocoanuts bags of 24 lbs.	0 - 0 - 3
— do — Exceeding 24 lbs.	0 - 0 - 4

(3) Fees twice the above rate will be received if the period exceeds 7 days but the power of reducing the penal rate or excusing it is reserved to the President or the Vice President

(4.) The day on which the articles were brought to the Ware-house and the day on which it was taken will each be counted as a day. The Storage charges cannot be excused on the ground that the Ware-house Officer was not able to inspect the articles nor on the ground that it was not allowed to be taken back.

16 The President and the Vice-President may give permission to any whole Sale dealer to take possession of a room in the warehouse for the purpose of retailing any articles on which duty has been levied under such Conditions as

be necessary in that behalf

17 All perishable articles on which Octroi should be levied which are not taken out within 48 hours or which are unclaimed will be sold in public auction, to the highest bidder. All other articles not taken back in one month or unclaimed will ~~otherwise~~ likewise be sold. Notices of such Sales will be affixed at the Ware-house and in the Municipal office Such articles will be Sold earlier if the Storage-fee is to exceed the Value of the articles.

18 Out of the Proceeds of the Sale, the Octroi and the Storage-fee will be first adjusted and the balance if any, will be kept in deposit for one year. All claims to the amount thus deposited, made during the above period shall be investigated the President and passed off

The amount left unclaimed after one year shall be credited to the Municipal funds No claims for the above preferred after one year shall be investigated without the special sanction of the Council.

The President or the Vice President may permit any person to have as ware-house any building under such Conditions as may be fixed and after the payment of such establishment Charges as may be fixed in each case by the President or Vice President.

Refunds

On all articles on which Octroi has been paid and which are exported outside the limits, refund will be made at the same rate as octroi levied, subject to the conditions mentioned hereunder. No refund below one rupee shall be made

24 // Any person claiming refund of Octroi shall produce the goods, the receipt showing the Octroi paid and the original invoice within 8 days from the date of payment. No claim preferred after 8 days will be entertained

Smuggling

If the Octroi officer has reason to suspect that any article on which Octroi has to be levied has been imported into the Octroi limits of the Town without the payment of Octroi, such officer may call upon the owner of the place in which the article is stored, to give satisfactory proof for the payment of Octroi Such owner shall produce the article and give satisfactory proof of payment of Octroi If he refuses to produce the article or the r for payment of

of action the action officer may with Panchayatdars enter the Premises for inspecting the articles. He may then receive the articles to the action officer. The owner may either be subjected to Criminal prosecution or in the discretion of the President or the Vice President he directed to pay a fine not exceeding ten times the amount of action ordinarily payable. If he refuses to pay the fine, the article may be confiscated and the Proceeds credited towards the fine imposed, the balance remaining being paid to the owner if claimed within 3 months no claim for the amount will be entertained after 3 months from the date of sale.

A reward equal to half the amount of received may be paid to any person who detects the commission of action

Octroi articles and on proof of such Smuggling In special cases, the full amount of fine or penal Octroi levied may be paid at the discretion of the President

General

Importers of Octroi articles shall be called upon in writing by the President or Vice President within Three months of such import to account for the articles received by them by producing either the permit obtained in token of payment of Octroi duty or the Export pass ~~and~~ in proof of having exported the whole or part of the articles, so received or otherwise

Any breach of these Bye laws will render the importer liable to punishment on Conviction, with a fine not exceeding ten times the Octroi leviable or upto Rs 25/-

whichever may be less

Any person importing or exporting articles on which octroi has to be levied, in contravention of the Bye-laws 3-4-6-7-12-22 shall on conviction by a magistrate be liable to pay a fine of not exceeding Rs 50/- and to the payment of octroi on such article

Clothes imported through the Post-Office should be brought into the octroi office If it be proved that the clothes are intended for the use of the importer a seal shall be impressed ~~if~~ at free of for sale, the octroi will be recovered and the seal affixed

Persons infringing this Bye-law shall be dealt with under Bye law no 24.

Persons importing octroi articles rail shall produce the

the Railway receipt to the Collector's office for the collector's seal being affixed on it he shall produce the articles to the Collector's office immediately after taking delivery of the same from the Railway Station for the Collector being received.

Schedule A.

No.	Name of Tax.	Description of article	Rate			Exemptions.
1		Cocoanut per 100.			4	The following articles intended for bona fide use and not for sale are exempted from Collector's if they do not exceed the quantity hereinafter specified (one Para. Rs. 1)
2		Cocoanut per maund of 40	0	0		
3		Betel leaves Per 100.	0	0		
4		Kerosine oil Per tin	0	0	2	
5		All other kinds of oil per tin	0	0		
6		Tobacco Per maund.	0	8	0	
7	Collector	Tobacco Sticks per maund		1	0	
8		Tobacco dust per maund	0	1	0	
9		Cloth goods per value of Rs 1				
10		Cigarettes per box of 500	0	2	0	
11		Cigars per box of 100	0	1		
12		Beedies (Imported) per 1000	0	1		

Betel leaves 50 (one Para. Rs. 1)
Betel leaves 1½ annas
Sd/-

9.
17

Schedule B

Serial No.	Road and Cart-Track	Names of Gokads.
1	Dibbenahalli Road	gokad at the gate of, to Sidlaghatta T. B.
2.	Chickballapur Road	gokad at Sakaperamma's temple
3	Cheintamani Road.	do Chandrasekharaswami temple
4.	Adoor Road	do Railway cross road
5	Thigare Road	do Pujamma's temple.

President.
Sidlaghatta Municipality

O. T. O

Sidlaghatta Town Municipality

~~Bye-laws under clause (P) of Section~~
~~44(11) of the Mysore Municipal Regulation~~
~~No. III of 1906.~~ Bye-laws for the erection of Pendals or sheds on public roads or Municipal sites framed by the Town Municipal Sidlaghatta under Sec 48(1)(p) of the Mysore Municipal Regulation No III of 1906 and published by Govt in Rajpatra No dt

1. No building or pendal of any description whatsoever shall be erected on the roads and sites belonging to the Municipality without the permission in writing from the President or Vice-President.

2. Any person desiring to erect a pendal during marriages or at any time on the above mentioned places shall apply, in writing to the President or Vice President, specifying the dimensions and presenting the fees therefor at the following rates and obtain a license for the same.

	Rs	as	P
(1) A Small pendal in front of the house and just by the drain with only two posts on the Road.	0	4	0
(2) A pendal not exceeding 10x10 or 100 Square feet	0	8	0

10/2

	Rs	as	P
(3) Exceeding 100 sq. ft but not exceeding 200 sq. ft	1	- 0	- 0
(4) Above 200 sq. feet	2	- 0	- 0

3. Pendals put up on the road shall be high enough for a Country Cart with loft to pass freely. If the Pendal does not occupy the full width of the road, a space sufficient for a Cart to pass should be left at one side of the road

4. Pendals erected as above may remain for 15 days. If further time is required permission may be obtained on paying fees at half the above rates which will be current for another 15 days.

5. Any person erecting pendals or other temporary structure in contravention of the above Bye-Laws shall on Conviction before a Magistrate be liable to a fine not exceeding Rs 10/-. Such building shall also be removed by the Municipality and the Cost recovered.

President